

### **REMARKS**

In the Office Action, the Examiner rejected claims 1, 3-15, 17-19, 21-25, 27-32, and 34-36. Applicants canceled claims 2, 16, 20, 26, and 33 in a previous communication. By the present Response, Applicants amend claims 1, 5, 6, 7, 13, 19, 22, 23, 27, 28, 31, and 32 to further clarify the claimed subject matter, add claims 37-46, and cancel claims 3, 4, 8, 9, 14, 15, 21, 25, 35, and 36. Upon entry of the amendments, claims 1, 5-7, 10-13, 17-19, 22-24, 27-32, 34, and 37-46 will be pending in the present patent application. Applicants respectfully request reconsideration of the above-referenced application in view of the following remarks.

### **Objection to the Specification**

In the Office Action, the Examiner objected to the title of the specification for not being clearly indicative of the invention to which the claims are directed. Although Applicants do not necessarily agree with this objection, Applicants amended the title as set forth above. In view of this amendment, Applicants respectfully request withdrawal of the Examiner's objection to the specification.

### **Replacement Drawing**

Applicants note that the Examiner neither accepted nor objected to the drawings originally filed with the present application. However, with this Response, Applicants submit the attached drawing ("Replacement Sheet") to replace originally filed FIG. 5. It should be noted that this substitute drawing is merely a formalized version of the originally filed drawing, including a correction of a clerical error with respect to the alignment of reference numeral 76, which was mistakenly printed vertically instead of horizontally. This replacement drawing does not add any new matter. Accordingly, Applicants respectfully request acceptance of the replacement drawing.

### **Rejections Under 35 U.S.C. § 112**

In the Office Action, the Examiner rejected claims 28, 31, and 32 under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. Specifically, the Examiner noted certain informalities and clerical errors in the claims. As indicated above, Applicants have amended claims 28, 31, and 32 to correct these clerical errors. In light of these amendments, Applicants respectfully request withdrawal of the rejections of claims 28, 31, and 32 under 35 U.S.C. § 112.

### **Rejections Under 35 U.S.C. § 102**

In the Office Action, the Examiner rejected claims 1, 3-5, 7, 8, 10-13, 15, 18, 19, 21, 23-25, 27, 28, 30, 32, and 34-36 under 35 U.S.C. § 102(b) as anticipated by Gutjahr et al. (DE 19917409 A1). The Examiner also rejected claims 1, 3-8, 10-14, 17-19, 21-24, 27, 28, and 34-36 as anticipated by each of Koyama et al. (JP 57129139 A) and Furukawa et al. (JP 03049542 A). Further, the Examiner rejected claims 7-10, 12-15, 17-19, and 21-24 as anticipated by Harano et al. (U.S. Patent No. 4,406,959). Applicants respectfully traverse these rejections.

### ***Legal Precedent***

Anticipation under Section 102 can be found only if a single reference shows exactly what is claimed. *Titanium Metals Corp. v. Banner*, 227 U.S.P.Q. 773 (Fed. Cir. 1985). For a prior art reference to anticipate under Section 102, every element of the claimed invention must be identically shown in a single reference. *In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). Moreover, the prior art reference also must show the identical invention “in as complete detail as contained in the ... claim” to support a *prima facie* case of anticipation. *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q. 2d 1913, 1920 (Fed. Cir. 1989) (emphasis added). Accordingly, Applicants need only point to a

single element not found in the cited reference to demonstrate that the cited reference fails to anticipate the claimed subject matter.

***Omitted Features of Independent Claims 1, 7, 13, 19, 23, and 27***

Turning now to the present claims, the Gutjahr et al., Koyama et al., Furukawa, and Harano et al. references fail to disclose each element of independent claims 1, 7, 13, 19, 23, and 27, as amended. For instance, independent claim 1 recites “corner ducts including at least one cantilevered fin for increasing a convective surface area within the corner ducts, *wherein the cantilevered fins are configured to reduce air flow through the corner ducts by approximately three percent in a motor during operation*” (emphasis added). Independent claim 7 recites “at least one center duct having a major axis substantially perpendicular to the respective centerline.” Independent claim 13 recites a motor “wherein a gap is defined between the rotor and an inner periphery of the lamination, and wherein *the cooling ducts are configured to force convective air flow through the rotor cooling ducts and the gap during operation such that approximately three percent of the air flow passes through the gap during operation*” (emphasis added). Further, claims 19 and 23 recite features similar to those provided above with respect to independent claims 1 and 13, respectively. Finally, independent claim 27 recites “balancing the air flow through the cooling ducts via at least one cantilevered fin disposed in at least one of the corner ducts, *wherein balancing the air flow results in approximately thirteen percent of the forced air flow to be routed through the center ducts*” (emphasis added). Because the Gutjahr et al., Koyama et al., Furukawa et al., and Harano et al. references fail to disclose such elements, the cited reference fails to anticipate independent claims 1, 7, 13, 19, 23, and 27.

As will be appreciated, the Gutjahr et al., Koyama et al., Furukawa et al., and Harano et al. references generally disclose various cooling arrangements for a motor. However, none of these references appear to disclose the cooling arrangements presently

recited in the instant claims. Further, nothing in the previous Office Action even indicates the Examiner believes such teachings to be present in the prior art of record. Because these cited references fail to disclose each and every element of the present claims, Applicants respectfully submit that independent claims 1, 7, 13, 19, 23, and 27, as well as their dependent claims, are patentable over the Gutjahr et al., Koyama et al., Furukawa et al., and Harano et al. references. Accordingly, Applicants respectfully request withdrawal of the rejections under 35 U.S.C. § 102 and allowance of claims 1, 5-7, 10-13, 17-19, 22-24, 27, 28, 30, 32, and 34.

### **Rejections Under 35 U.S.C. § 103**

In the Office Action, the Examiner rejected claims 9, 14, and 31 under 35 U.S.C. § 103(a) as unpatentable over Furukawa et al., Koyama et al., or Gutjahr et al., in further view of Nakamura (JP 60020749 A). The Examiner also rejected claim 29 as unpatentable over Furukawa et al., Koyama et al., or Gutjahr et al., in further view of Jarczynski et al. (U.S. Patent No. 5,633,543). As noted above, Applicants have canceled claims 9 and 14. With respect to remaining claims 29 and 31, Applicants respectfully traverse these rejections.

### ***Legal Precedent***

The burden of establishing a *prima facie* case of obviousness falls on the Examiner. *Ex parte Wolters and Kuypers*, 214 U.S.P.Q. 735 (PTO Bd. App. 1979). Obviousness cannot be established by combining the teachings of the prior art to produce the claimed invention absent some teaching or suggestion supporting the combination. *ACS Hospital Systems, Inc. v. Montefiore Hospital*, 732 F.2d 1572, 1577, 221 U.S.P.Q. 929, 933 (Fed. Cir. 1984). Accordingly, to establish a *prima facie* case, the Examiner must not only show that the combination includes *all* of the claimed elements, but also a convincing line of reason as to why one of ordinary skill in the art would have found the

claimed invention to have been obvious in light of the teachings of the references. *Ex parte Clapp*, 227 U.S.P.Q. 972 (B.P.A.I. 1985).

***Omitted Features of the Dependent Claims***

Applicants note that each of claims 29 and 31 depends from independent claim 23. As discussed above, the Furukawa et al., Koyama et al., and Gutjahr et al. references fail to disclose each element of independent claim 23. Further, the Nakamura and Jarczynski et al. references do nothing to obviate the deficiencies of the Furukawa et al., Koyama et al., and Gutjahr et al. references. As a result, dependent claims 29 and 31 are allowable on the basis of their dependency from a respective allowable independent claim, as well as for the subject matter separately recited in these dependent claims. Accordingly, Applicants respectfully request withdrawal of the Examiner's rejection and allowance of claims 29 and 31.

**New Claims**

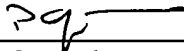
New claims 37-46 have been added by this Response. These new claims add no new matter and are fully supported throughout the specification. *See, e.g.*, Application, pages 9-12. Furthermore, in view of the present cancellation of claims 3, 4, 8, 9, 14, 15, 21, 25, 35, and 36, no fees are believed due for the addition of claims 37-46 in this Response. These new claims are believed allowable for their dependency from an allowable independent claim, as well as by virtue of the subject matter separately recited by these dependent claims. Accordingly, Applicants respectfully request allowance of dependent claims 37-46.

**Conclusion**

In view of the remarks and amendments set forth above, Applicants respectfully request allowance of the pending claims. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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